

Application No. 09/166,343

The Examiner rejects claims 1-3, 10-14, 16, and 19-21 under 35 U.S.C. 103(a) as being unpatentable over Ramakrishnan (U.S. Patent No. 6,049,546). The Examiner also rejects claims 4, 5, 7-9, 17, and 18 under 35 U.S.C. 103(a) as being unpatentable over Ramakrishnan in view of Marin (U.S. Patent No. 6,269,079). Claim 6 is objected to as being dependent upon a rejected base claim, but the Examiner indicates that it would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Applicant respectfully traverses these rejections.

Claims 1 and 21 recite "transmitting the packet-related data in the second state queue to a switch fabric for completing the communication of the data packet from the sending port to each determined destination port." (Emphasis added). Claim 13 similarly recites "a switch fabric coupled to the second stage queue, the switch fabric using the packet-related data in the second stage queue for transmitting the data packet to a destination port." The Examiner contends that the recited switch fabric is taught by Ramakrishnan in its disclosure of a controller 140 in figure 3. The Examiner argues that Ramakrishnan discloses a controller instead of a switch fabric because data is being sent to only one port, but that "it would be obvious to one skilled in the art that if multiple ports could be selected instead of one port[,] then the controller (fig. 3 box 140) would be replaced with a switch." Applicant respectfully disagrees.

As set forth in the M.P.E.P., obviousness can only be established by "modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so." M.P.E.P. § 2143.01. Ramakrishnan fails to provide such teaching, suggestion, or motivation. The controller 140 relied on by the Examiner is simply a scheduler that manages the order in which buffers output to the output port, but the controller does not take the role of a switch fabric. In fact, Ramakrishnan already discloses a switch fabric in the form of an inter-connection network 120 that "allows switching between the input ports and the output ports." (Col. 7, lines 54-57). Thus, a person of skill in the art would have no motivation to replace the disclosed controller 140 with another switch fabric because this would result in a switch with two switch fabrics and no controller/scheduler. Accordingly, claims 1, 13, and 21 are in condition for allowance.

Claims 2-12, 14, and 16-20 are also in condition for allowance because they depend on an allowable base claim, and for the additional limitations that they contain.

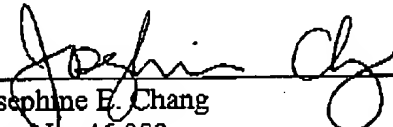
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In view of the foregoing amendments and remarks, reconsideration and early indication of allowance of claims 1-14 and 16-21 are respectfully requested.

Respectfully submitted,

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